

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRIS BASNETT, Individually and On	:	Civil Action No. 1:13-cv-00214-HB
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
LONGWEI PETROLEUM INVESTMENT	:	
HOLDING LIMITED, et al.,	:	
	:	
Defendants.	:	
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JUN MA, Individually and On Behalf of All	:	Civil Action No. 1:13-cv-00229-JPO
Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
LONGWEI PETROLEUM INVESTMENT	:	
HOLDING LIMITED, et al.,	:	
	:	
Defendants.	:	
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[Caption continued on following page.]

NOTICE OF NON-OPPOSITION

CHARLIE MUNIZ, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

LONGWEI PETROLEUM INVESTMENT
HOLDING LIMITED, et al.,

Defendants.

PAUL HOWARD, On Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

vs.

LONGWEI PETROLEUM INVESTMENT
HOLDING LIMITED, et al.,

Defendants.

x

Civil Action No. 1:13-cv-00278-HB

CLASS ACTION

Civil Action No. 1:13-cv-00422-HB

CLASS ACTION

x

Class member William Tylutki (“Tylutki”) respectfully submits this notice to inform the Court that he does not oppose the competing motions for consolidation, appointment as Lead Plaintiff and approval of selection of Lead Counsel.

On March 5, 2013, seven motions were filed seeking consolidation, appointment as Lead Plaintiff and approval of selection of Lead Counsel. The movants are: (i) Excalibur Special Opportunities, L.P., Greg Lagermeier and Todd Okimoto, who claim collective losses of \$793,320.00; (ii) Paul Love, Fabio Benedetto Lupis and Chris Wilson, who claim collective losses of \$770,154.94; (iii) Marcin Kolakowski and Malkit Sappal, who claim collective losses of \$368,286.00; (iv) Khaled Mously and Catherine Dandy, who claim collective losses of \$166,150.00; (v) Donald Pritt and Volker Piasta, who claim collective losses of \$116,604.00; (vi) Richard D. Kozma, who claims losses of \$33,900.00; and (vii) Tylutki, who claims losses of \$14,433.50.

All movants agree that the Private Securities Litigation Reform Act of 1995 (“PSLRA”) directs the Court to appoint as Lead Plaintiff the movant who: (1) “has the largest financial interest in the relief sought by the class,” and (2) “otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure.” 15 U.S.C. §78u-4(a)(3)(B)(iii)(I)(bb)-(cc).

With a loss of \$14,433.50, Tylutki recognizes that his losses are less than the losses claimed by the six other movants. In light of the other movants’ larger losses, Tylutki does not oppose the motions, but remains ready, willing and able to serve as Lead Plaintiff if the Court declines to appoint another movant as Lead Plaintiff.

DATED: April 25, 2013

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
DAVID ROSENFELD
MARIO ALBA JR.

/s/ Mario Alba Jr.
MARIO ALBA JR.

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[Proposed] Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, Mario Alba Jr., hereby certify that on April 25, 2013, I caused a true and correct copy of the attached:

NOTICE OF NON-OPPOSITION

to be served: (i) electronically on all counsel registered for electronic service for this case; and (ii) by first-class mail to any additional counsel.

/s/ Mario Alba Jr.

MARIO ALBA JR.